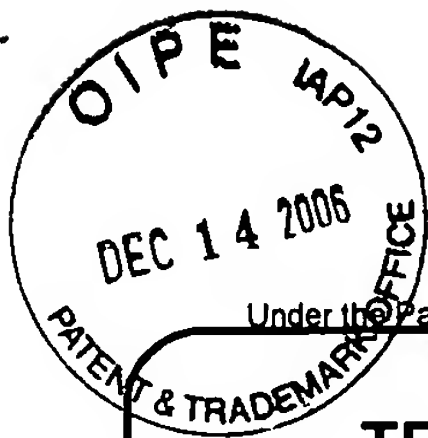


DEC 15 2006



PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

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7

Application Number

10/067,974

Filing Date

February 8, 2002

First Named Inventor

Lhing-Yew Li

Art Unit

1656

Examiner Name

David J. Steadman

Attorney Docket Number

030738

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☒

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐Power of Attorney, Revocation  
Change of Correspondence Address☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) \_\_\_\_\_

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Landscape Table on CD

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After Allowance Communication to TC

☐Appeal Communication to Board  
of Appeals and Interferences☐Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

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Status Letter

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	:	<b>PATENT APPLICATION</b>
	:	
Lhing-Yew Li, et al.	:	POLYNUCLEOTIDE CONSTRUCTS
	:	ENCODING ASPARTATE KINASE,
	:	ASPARTATE-SEMIALDEHYDE
	:	DEHYDROGENASE, AND
	:	DIHYDRODIPICOLINATE REDUCTASE
	:	AND RELATED CONSTRUCTS, PRODUCTS,
	:	AND METHODS
	:	
Serial No.: 10/067,974	:	Group Art Unit: 1656
	:	
Filed: February 8, 2002	:	Examiner: Steadman, David J.
	:	
	:	Pittsburgh, Pennsylvania 15219

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RESPONSE AFTER ADVISORY ACTION**

Sir:

This is a response to the Advisory Action Before the Filing of an Appeal Brief mailed by the Office on November 22, 2006. An appeal is currently pending in this case, and it is believed that this document is timely filed without the need for an extension. In the event that an extension is necessary for this document to be timely filed, kindly grant one and deduct the fee for same from deposit account no. 02-4800, in the name of Buchanan Ingersoll PC.

The Examiner's objections and rejections in this case have been carefully considered and in view of the following remarks and amendments, reconsideration and early allowance of all pending claims is courteously requested. Applicants' response takes into account the

requirements of 37 C.F.R. § 116 and is intended to place into condition for allowance (or in better condition for appeal) those claims previously indicated as allowable by the Examiner.

Applicants' response further takes into account that none of the previous amendments submitted after the May 1, 2006 Final Official Action were entered. Please amend this application as follows:

**Amendments to the claims** are reflected in the Listing of Claims which begins on page 3 of this paper.

**Remarks/Arguments** being on page 4 of this paper.

**Conclusion** begins on page 5.